

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

JUL 07 2004
U.S. PATENT & TRADEMARK OFFICE

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless directed below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 04/06/2004

Robert A. Lloyd
Pyle & Piontek
Suite 850
221 N. LaSalle Street
Chicago, IL 60601

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Deborah Konicki

(Depositor's name)

Deborah Konicki

(Signature)

July 2, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,966	02/27/2002	Ben E. Jaeger	BRI 40016	2200

TITLE OF INVENTION: DRY MATERIAL SAMPLER AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	07/06/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAEVIS, ROBERT R	2856	073-863830

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Pyle & Piontek

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee

A check in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies 3

The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Michael Pearteh (Date) 7/2/04

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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07/09/2004 JADDO2 00000109 10084966

01 FC:2501	665.00	OP
02 FC:1504	300.00	OP
03 FC:8001	9.00	OP

TRANSMIT THIS FORM WITH FEE(S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Ben E. Jaeger

Application No.: 10 / 084,966

Filed: February 27, 2002

For: Dry Material Sampler
and Method

Group No.: 2856

Examiner: Raevis, Robert R.

Batch No.

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

TRANSMITTAL OF PAYMENT OF ISSUE FEE (37 C.F.R. § 1.311)

NOTE: Submission of a Transmittal of Payment of Issue Fee after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

1. Applicant hereby pays the issue fee for the attached Issue Fee Transmittal PTOL-85.

NOTE: 37 C.F.R. § 1.27(g): "(1) New determination of entitlement to small entity status is needed when issue and maintenance fees are due. Once status as a small entity has been established in an application or patent, fees as a small entity may thereafter be paid in that application or patent without regard to a change in status until the issue fee is due or any maintenance fee is due.

(2) Notification of loss of entitlement to small entity status is required when issue and maintenance fees are due. Notification of a loss of entitlement to small entity status must be filed in the application or patent prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity as defined in paragraph (a) of this section is no longer appropriate. The notification that small entity status is no longer appropriate must be signed by a party identified in § 1.33(b). Payment of a fee in other than the small entity amount is not sufficient notification that small entity status is no longer appropriate."

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

with sufficient postage as first class mail.

 as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____

Deborah Konicki
Signature

Deborah Konicki

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(complete the following, as applicable)

2. Applicant

A. Asserted small entity status in this application on _____ (Date) by
(complete the following, as applicable)

payment of the basic filing national fee as a small entity (37 C.F.R. § 1.27(c)(3))
 submission of a written assertion of small entity status (37 C.F.R. § 1.27(c)(1))

WARNING: "Payment of a fee in other than the small entity amount is not sufficient notification that small entity status is no longer appropriate." 37 C.F.R. § 1.27(g)(2).

(complete the following, as applicable)

Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. § 1.27(g)(2), that it no longer has status as a small entity.
 A "NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY" signed by an appropriate party as required by 37 C.F.R. § 1.27(g)(2) and § 1.33(b) is attached.
 It is confirmed that small entity status for this application has been checked and it is still in effect and is being asserted.

B. Applicant hereby asserts small entity status for this application.

An "ASSERTION OF SMALL ENTITY STATUS" signed by an appropriate party as required by 37 C.F.R. § 1.27(c)(2) is attached.

3. Fee (37 C.F.R. § 1.18(a) and (b)):

Application status is:	Regular	Design
<input checked="" type="checkbox"/> small business entity—fee	<input checked="" type="checkbox"/> \$665.00	<input type="checkbox"/> \$240.00
<input type="checkbox"/> other than a small entity—fee	<input type="checkbox"/> \$1,330.00	<input type="checkbox"/> \$480.00

4. Payment of fee: Issue fee Publication fee Patent copy fee
 Attached is a check money order in the amount of \$ 974.00
 Authorization is hereby made to charge the amount of \$ _____
 to Deposit Account No. 10-1324
 to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.



SIGNATURE OF PRACTITIONER

Michael Piontek

(type or print name of practitioner)

221 N. LaSalle St., Suite 850

P.O. Address

Chicago, IL 60601

Reg. No.: 25.605

Tel. No.: (312) 236-8123

Customer No.: 21015

(Transmittal of Payment of Issue Fee (37 C.F.R. § 1.311) [9-10]—page 3 of 3)